(b) whether funds have been allocated for the purpose and the package put into operation and if so, from which date;

(c) whether the promoters and managament propose to sell surplus land of the undetaking at token price;

(d) the location of such land and the final position in this regard; and

(e) what have been the losses of this undertaking?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS & FERTILIZERS (SHRI EDUARDO FALEIRO): (a) The Revival Package for Indian Drugs & Pharmaceuticals Ltd. (IDPL) was approved by the Board for Industrial and Financial Reconstruction (BIFR) on the 10th February, 1994. The revival plan is for 10 years beginning from 1994-95. The revival plan, inter alia; envisages capital restructuring inolving write-off off overdue interest, penal interest, conversion of term loan given by the Government into equity; restructuring of the business of the company; higher production and sales targets. cost reduction including reduction in excess manpower through Voluntary Retirement Scheme (VRS) etc. The cost of revival, as per the approved revival package, is Rs. 143 crores.

(b) Fresh financial assistance, as envisaged in the approved plan from the Government, was to be released in 1993-94 and 1994-95. The funds have been released. The revival plan has been put into operation from 1994-95.

(c) and (d) In terms of the approved package, resources to the tune of about Rs.23 crores are to be generated through sale|disposal of surplus land|assets. The surplus land of the company are at Gurgaon (Haryana) and Hyderabad (Andhra Pradesh). The sale of surplus land has not materialised in 1994-95.

(e) The accumulated losses of IDPL upto 31-3-95 are about Rs. 572 crores (unaudited).

Monopoly control of plant material

8369. SHRI SATISH PRADHAN: Will the Minister of CHEMICALS & FERTILIZERS be pleased to state:

(a) whether amendments in the patent Act, 1970 would lead to monopoly control of plant materials, drugs and pharmaceuticals;

(b) what introduction of product patents in these areas will prevent Indian companies using other processes to manufacture drugs at lower costs than the prices at which global corporations sell them the same; and

(c) whether this along will push up drug prices beyond people's reach due to emergence of import monopolies preventing technology transfer?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO): (a) to (c) The WTO Agreement provides a transition period of 10 years to countries like India to delay the application of the provisions on product patent protection to areas of technology not so protectable in their territories on 1-1-1995.

There will no impact of the TRIPS Agreement on the prices of the existing drugs in the market whether patented or non-patented. The impact of the TRIPs Agreement on the drugs patented after 1-1-1995 will depend on a number of factors, including the nature of the availability of the repeutic equivalent substitute non patented drugs in the market licensing and marketing strategies adopted by the patent holders, including the option of local manufacturing and the general scenario that might be prevailing in the inter-national market.

Drugs allowed for marketing

8370. SHRI ISH DUTT YADAV: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) the total number of drugs being allowed for marketing on 30th April, 1995;

(b) the total sale of these drugs during 1994-95;

(c) whether it is a fact that only a few drugs are covered under wholesale price index;

(d) if so, the number of drugs and their names and the sale of these drugs during 1994-95; and

(e) the reasons for excluding other drugs which have much higher consumption and sale from wholesale price index?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO *FALEIRO): (a) and (b)* Marketing of drugs in the country is allowed by the Drugs Controller (India) under the provisions of the Drugs & Cosmetics Act, 1940 from time to time and this is a continuous process. According to the Drugs Controller (India), new drugs allowed for marketing in the country during the period January, 1994 to 30th April, 1995 are 38. It is estimated that presently about 500 drugs in various dosage forms and combinations are used in the country.

The information regarding sales of these drugs is not maintained. However, it has been estimated that production of formulations based on these drugs during 1994-95 would be of the order of Rs. 7935 Crores.

(c) and (e) The selection of commodities covered under the Wholesale Price Index (WPI) is based on the recommendations of the Working Group constituted for the revision of Index Numbers of Wholesale Prices in India in April, 1982. A Working Group for the revision of current series of Wholesale Price Index Numbers (1981-82-100) has been set up.

Orders by Bombay High Court in the case of M/s. Hoechst

8371. SHRI ISH DUTT YADAV: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) the details of the orders issued by the Bombay High Court in the case of M/s. Hoechst and the time period upto which it was to be complied; and

(b) the present position in this case and the reasons for delay thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO): (a) The Bombay High Court has directed for the mutual exchange of data/information between the company and the Government for the purpose of finalisation of the liability and to give a hearing to the company in the matter.

(b) Government has constituted a *Three Member Committee headed by a retired* Delhi High Court Judge to examine the quantum of the liabilities against the defaulting drug companies, including M/s. Hoechst. xc

Mape on non-scheduled products

8372. SHRI SAT'SH PRADHAN: Will the Minister of CHEMICALS & FERTILIZERS be pleased to state:

(a) whether it is a fact that there is no limit to MAPE on non-scheduled products under DPCO 1987/95 and the extent of percentage to which MAPE is justified;

(b) whether it is a fact that a number of instances of more than 500 MAPE being charged have come to the notice of Government, if so, the names of such products and the steps taken to reduce the prices; and

(c) what is the MAPE in such formulations at present and what are the price controlled formulations where they overcharged the prices Under DPCO, 1979, 1987 and 1995 together with reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALIERO): (a) to (c) MAPE as stipulated in Drugs (Prices Control) Order of 1987 and 1995 (DPCO), is only in relation to calculation of prices of formulations which are based on price controlled bulk drugs as defined in the said